

## REMARKS

This amendment is submitted in response to the Examiner's Action dated August 31, 2010. Applicants have amended the claims to clarify and/or to more clearly recite the novel features of the invention. No new matter has been added, and the amendments place the claims in better condition for allowance. Applicants respectfully request entry of the amendments to the claims. Where discussion/arguments are presented below to rebut/overcome claim objections and/or rejections, those discussion/arguments are in reference to the claims in their amended form.

### CLAIMS REJECTIONS UNDER 35 USC §102

In the Final Office Action, Claims 23-27 are rejected under 35 USC §102(b) as being anticipated by *Lahti, et al.* (International Pub No. WO 98/42173). *Lahti* does not anticipate Applicants' claimed invention because *Lahti* does not teach each and every feature recited by Applicants' claims, as explained in greater details in the below arguments.

With respect to Claim 23, the Examiner cites p.8, lines 22-33 as teaching the "routing" feature recited within Applicants' independent Claim 23. However, that section of *Lhati* relied upon by the Examiner merely provides:

all circumstances. In step 38 the bank's user interface server that received the short message sends the payment data included in the short message to the bank's self service unit which verifies that the username and password as well as the seed number and counter-number in the message match each other and that the user identified by the username is authorized to use the short message service according to the invention. In step 39 the self service unit gives in a known manner a database-language payment transaction order to a banking application computer which in response to the order performs the payment transaction and as a reply returns to the self service unit information about whether the payment was successfully made or not. In step 40 the self service unit on the basis of the reply creates an acknowledge message which may be e.g. a character string as follows:

USER:AAAAAA ACCOUNT 111111-222222 PAID TO ACCOUNT  
333333-444444 AMOUNT 3333.44 DATE DD.MM.YYYY TIME HH.MM  
REF 5 66666 77777 HAVE A NICE DAY, (4)

As disclosed by *Lhati*, a server receives/forwards a message to a self-service unit. The self-service unit verifies the username, password, seed number and counter number in a message and that the user that sent the original message is allowed to perform the action using this service. The self-service unit then transmits a transaction to a banking application computer if these items check out. The server, as disclosed by *Lhati* is not forwarding decoded instructions to a software

application, but rather is forwarding a message received from a customer to a self-service unit which delegates the actual transaction to a banking application computer. Thus, *Lhati* does not anticipate Applicants' "routing" feature, and Applicants' claim 23 (as now amended) is allowable.

With regards now to Applicants Claim 24, which now depends on allowable Claim 23, Applicants' submit that *Lhati* does not disclose or render obvious "automatic generation of fields of data input" by "a computer by a business user" into fields/labels indicated by a selected business message format, as claimed by Applicants. The Examiner cites p.7, lines 33-35 and p.8, ln. 3-4 and 31-33 as teaching this feature of Applicants' claims. Those sections of *Lhati* relied upon by the Examiner merely provide:

p.7, lines 33-35

In step 36 the user opens the payment template for editing. In the USR field the self service unit has already placed the username it has read from the payment request sent by the user. In the PW field the user enters his password. In the N1 field the

p.8, ln. 3-4:

the N2 field. In the AC field the self service unit has placed the user's primary account number. If the user wants to pay the bill from another account he can at this

p.8, ln. 31-33:

Here, AAAAAA is the username, 111111-222222 is the number of the account debited, 333333-444444 is the number of the account credited, 3333.44 is the amount paid, DD.MM.YYYY is the date of payment, HH:MM is the time of

Page 7, lines 33-35 of *Lhati* disclose a self-service unit placing the information received from a request created by a user at a user terminal into a field. Page 8, lines 3-4 and lines 31-33 of *Lhati* again disclose a self-service unit filling in information in a field. Thus the methods disclosed by *Lhati* require a message have been already sent for fields to be populated. Applicants' claimed invention instead discloses "wherein each of said fields and the indicator labels of the commerce message are automatically filled in with data input on a graphic user interface of a computer by a business user utilizing a SMS message composing wizard (SMS MCW) disposed in the computer which is accessed by a graphic user interface (GUI) and which retrieves a SMS universal encoding template (SMS UET) that includes pre-defined data parameters for existing categorizations (types) of SMS business message formats to facilitate automatic generation of the

data input into the fields and the indicator labels corresponding to a selected existing type of SMS business message format, wherein the selected existing type of business message format is the SMS commerce message format.”

Since *Lhati* neither teaches nor suggests the features recited within Applicants’ Claims 23 and 24 as argued above, the rejection under 35 U.S.C. 102(b) of Claims 23 and 24, and all dependent claims should be withdrawn.

The standard for a §102 rejection requires that the reference teach each and every element recited in the claims set forth within the invention. As made clear by the above analysis, *Lhati* fails to meet this standard. Therefore, *Lhati* does not anticipate Applicants’ claimed invention. Applicants’ claims are therefore allowable.

#### **CLAIM REJECTIONS UNDER 35 USC §103**

In the Final Office Action, Claims 1-28 are rejected under 35 USC §103(a) as being unpatentable over *Lahti* in view of *Kleindienst, et al.* (US Pub 2004/0019487 A1). The combination of *Lahti* and *Kleindienst* does not render Applicants’ claimed invention unpatentable because that combination does not suggest, to one skilled in the art at the time of Applicants’ invention, several of the features recited by Applicants’ claims. By the present amendments, the claims have been amended to more clearly and specifically recite the novelties of Applicants’ invention therein. For purposes of these arguments, Applicants will focus on example independent Claim 1. Among the novel features of Applicants’ example Claim 1 that are not suggested by the above combination of references are at least the following non-exclusive listing of features:

(1) autonomously validating, by the server, the data retrieved by the server DCI by comparing the data entered at the GUI which has been retrieved by the server, to ensure that there are no data parameter errors and to ensure that the new SMS business message is properly formatted for the selected type of SMS business message format; and

(2) routing, by the server, the decoded data to a software application disposed in the server for processing the decoded data under control of the software application.

Applicants' first submit that the Examiner is clearly mischaracterizing the combination of references and also does not understand Applicants' claimed invention. Generally, the "transmitting" disclosed by *Lahti* follows an SMS from a bank customer to a bank's user interface server which is then filtered down and then executes an action requested by the bank customer. As recited in *Lahti*'s abstract, the request is initiated by the bank customer. Applicants' claimed invention is instead initiated by a business user (who is not the customer) using a computer (e.g., a bank employee using a company terminal) that sends a message, created from a template, to a mobile device (a customer – *Lahti*'s "user") informing the customer of some occurrence, such as a bounced check, and providing one or more options to the customer. The customer can then reply back, and the reply is decoded by another template and filtered to the proper software routine. Thus, the claimed invention provides 2-way exchange of information, with the first communication initiated from the bank. The information is provided from bank to consumer and then customer to bank. *Lahti* instead discloses a consumer to bank transaction (possibly with a reply that the customer requested transaction was performed), where the user (customer) initializes the transaction string. *Kleindienst* generally provides a method for creating messages via a multi-modal interface for receiving input data of a message from a variety of manners (e.g., text-to-speech, typing) and interpreting that input data into a selected message type (e.g. an email). Thus, *Kleindienst* is also not concerned with 2-way exchange of information as provided by Applicants' claimed invention, as amended. For at least these reasons, Applicants' respectfully submit that Applicants' independent claims are allowable over the combination or references.

Additionally, the combination of references also fails to teach or suggest Applicants' "autonomously validating" features. The Examiner uses *Lhati* to maintain the rejection of Applicants' "autonomously validating". Specifically, on page 4 of the present Office Action, the Examiner states that the short messages of *Lhati* are "... transformed in the form of signaling and does not require telephone connection between the connection and the user terminal and a base station, short messages are delivered error-free even if the conditions are bad". *Lhati* does not perform any validating whatsoever. Rather, *Lhati* assumes that because a failure rate is low or null and that the communication has gone through successfully even when "conditions are bad". *Lhati* also discloses holding a message in waiting until connections are ideal for transmission.

However, neither of these aspects provided by *Lhati* teach or suggest Applicants' autonomously validating data retrieved by a server with data entered at a GUI by a business user using a computer, or any similar features, as recited within Applicants' independent claims. Furthermore, one skilled in the art would be aware that cellular networks are highly prone to data and or voice interruptions or drops. Just because a data packet has been sent does not mean that the data packet was received. Additionally, even when a data packet was successfully received, a data packet may still have been corrupted during transmission due to poor conditions. Not performing a validation is **not equivalent** to performing a validation. Thus Applicants' "autonomously validating, by the server, the data retrieved by the server DCI by comparing the data entered at the GUI which has been retrieved by the server, to ensure that there are no data parameter errors and to ensure that the new SMS business message is properly formatted for the selected type of SMS business message format" provides a significant functional benefit not taught or suggested by *Lhati*. In fact, *Lhati* has expressly ruled-out performing any "autonomously validating" function or similar function.

With regards now to Applicants "routing" feature, which is recited within Applicants' independent Claims 1, 21, 22, and 23, the Examiner cites p.8, lines 22-33 of *Lhati* as teaching this feature. That section of *Lhati* relied upon by the Examiner merely provides:

all circumstances. In step 38 the bank's user interface server that received the short message sends the payment data included in the short message to the bank's self service unit which verifies that the username and password as well as the seed number and counter-number in the message match each other and that the user identified by the username is authorized to use the short message service according to the invention. In step 39 the self service unit gives in a known manner a database-language payment transaction order to a banking application computer which in response to the order performs the payment transaction and as a reply returns to the self service unit information about whether the payment was successfully made or not. In step 40 the self service unit on the basis of the reply creates an acknowledge message which may be e.g. a character string as follows:

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As disclosed by *Lhati*, a server receives a message to a self-service unit. The self-service unit verifies the username, password, seed number and counter number in a message and that the user that sent the original message is allowed to perform the action using this service. The self-service unit then transmits a transaction to a banking application computer if these items check

out. The server, as disclosed by *Lhati* is not forwarding decoded instructions to a software application, but rather is forwarding a message received from a customer to a self-service unit which delegates the actual transaction to a banking application computer.

Applicants' claimed invention instead recites "routing, by the server, the decoded data to a software application disposed in the server for processing the decoded data under control of the software application". Since *Lhati* does not disclose either the self-service unit or the banking application computer being in the server, Applicants' submit that *Lhati* clearly does not teach or suggest Applicants' "routing" feature.

With the above discussion/arguments and the reasons provided therein, Applicants have explained the noted deficiencies in the various references and further explained why the references themselves and the combination of references do not suggest key features of Applicants' claimed invention. One skilled in the art at the time of Applicants' invention would not find Applicants' invention to be suggested by the combination of references. The independent claims, and by virtue of their dependency, all other pending claims are therefore allowable over the combination.

### **CONCLUSION**

Applicants have diligently responded to the Office Action by amending the claims to clarify and/or more completely recite the novel features recited within specific claims. Applicants have also explained which features of Applicants' claims are not anticipated by and/or obvious in light of the references provided or combination thereof. Since the amendments and arguments overcome the various claim rejections, Applicants respectfully request Examiner pass the claims to allowance and issue a Notice of Allowance for all claims now pending.

Applicants invite the Examiner to contact the undersigned attorney of record at 512.617.5525 if such would further or expedite the prosecution of the present Application.

Respectfully submitted,

/Eustace P. Isidore/

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